

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY (IDA)
MINUTES OF BOARD MEETING
December 16, 2019

Present

Board Members: Austin DuBois, Chairman
Christine Amato, Adam Pollick, Marlon Ramos,
and Nancy Thomas

Absent: Sarah Beckman-Hooff, Michael Kelly

Staff: Cherisse Vickers, Executive Director
Counsel: Robert McLaughlin, Hodgson Russ, LLP

GUESTS: Kelly Pressler, Jacobowitz & Gubits LLP
Christopher Cooney, Erik Cooney
Jim McIver, C.T. Male Associates
Dominic Cordisco, Drake Loeb PLLC
Richard Ocejó, CUNY

1. **Roll Call**: Chairman Austin DuBois called the meeting to order; a quorum is present.
2. **Proof of Notice of Meeting**: Accepted.
3. **Reading and Approval of minutes of the previous meeting**

Minutes from the previous board meeting of November 18 were distributed to the board via e-mail.

The Chairman called for a motion to accept the minutes as presented/e-mailed:

Motion to approve the minutes of November 18 as presented:

Mr. Pollick: Motion to approve the minutes
Ms. Thomas: Motion seconded.
Discussion: None.
VOTE: Unanimously adopted.

4. **Executive Session**

On a motion made by Christina Amato and seconded by Nancy Thomas, the Board voted to go into executive session to discuss pending litigation.

On a motion made by Nancy Thomas and seconded by Marlon Ramos, the Board voted to leave executive session. No action was taken in Executive Session.

Several items were discussed during executive session, one being Resolution 2019-12-16-02, a proposal to have independent contractors who perform staff services become employees of the agency. The general consensus of the board is to: a) table the resolution for now; b) provide any needed board information to the insurance company(ies) so that price quotes can be obtained; and c) request the Executive Director to draft an employment agreement, outlining job duties and description.

5. **Report of the Treasurer: Approval of Payment of Bills**

Treasurer Marlon Ramos presented the Treasurer's Report to the board. He read the report to the board. On a motion made by Christina Amato and seconded by Nancy Thomas, the Treasurer's Report was approved.

On a motion made by Christina Amato and seconded by Adam Pollick, the board approved payment of bills (check numbers 829-837).

Chairman of the Audit Committee, Marlon Ramos, gave a brief overview of a meeting the Audit Committee held prior to the board meeting. The committee members reviewed changes to the Uniform Tax Exempt Policy to bring that policy in line with current requirements for "green technologies, energy efficiency, resource conservation and alternative and renewable energy measures." It is expected any future projects will utilize these elements to the extent practicable and economically feasible.

On a motion made by Christina Amato and seconded by Nancy Thomas, the board unanimously voted to approve the Uniform Tax Exempt Policy as read and presented to the board.

6. **Chairman's Report**

There are several items under the Chairman's Report, with the first being the mission statement for 2020. The Chair mentioned that the same requirements needed for the UTEP have been incorporated into the mission statement for 2020.

On a motion made by Marlon Ramos and seconded by Adam Pollick, the board unanimously voted to approve the mission statement for 2020.

Next on the list is the new 2020 Property Acquisition Policy for the IDA's consideration and approval. After a few questions were asked and answered, a motion was made by Marlon Ramos and seconded by Nancy Thomas, to adopt the policy; the policy was unanimously adopted.

Next is another new policy for the IDA to consider, the 2020 Project Evaluation Policy. This policy is to be used as guide when evaluating future projects that the IDA undertakes. On a motion made by Christina Amato and seconded by Marlon Ramos, the board unanimously approved the adoption of the policy.

Proposed Slate of Officers – the chair read the slate as presented. Board Member Christina Amato agreed to take over as board Secretary, relieving Treasurer Marlon Ramos of those additional duties.

Resolution No. 2019-12-16-03 was presented for roll call with unanimous passage.

The Chair reported on a conversation he had with Thomas Dodd and the Liberty Street project. The result of the conversation is that Mr. Dodd may ask for a PILOT for his project. Mr. Dodd also mentioned that he is waiting to hear about state funding.

The Chair also had a brief conversation with Erik Cooney, and they have retained Dominic Cordisco as attorney for the early stages of the project.

The Chair attended the Pace Land Use Law Center Annual Conference, good sessions. The former Mayor of Pittsburgh (from the '90's) spoke at the conference. The mayor said one of the first things that was done was to reduce the city's workforce; that helped to stabilize the budget and going forward, work to build the budget so that wouldn't happen again. Many of their struggles parallel Newburgh's current situation.

7. Counsel's Report

Counsel reminded the board about video requirements for the board meetings in the new year.

He also talked to the board at the Foundry title. He found some amendments, and depending upon how you to read the report, it could be 4 or 11 amendments. By the next meeting, they'll have the full accounting. He suggested a title search for \$350.00 be done. The board agreed to go ahead with the search.

8. Executive Director's Report

The director told the board about several reports that are needed for PARIS reporting. She said that very little was changed, but added in the video recording and live streaming of the IDA Board meetings.

The director reported she gave nine tours to parties interested in locating in Newburgh.

Resolution No. 2019-12-16-01 was before the board for a roll call and adoption. The resolution was adopted unanimously.

The director asked how to proceed with purchasing the video equipment needed for the board meeting. The chair offered to purchase the equipment and get reimbursed by the IDA.

The director let the board know that she got a quote from CDR on installing signs on the Scobie Drive property regarding dumping. There was an issue this past summer with dumping on the grounds.

The director also let the board know that she would be attending the NYS EDC Conference in January for one day.

Next year's meeting date schedule was distributed to the board. The board meets every third Monday unless there's a holiday. This year a suggestion was made to move the dates of the January and February meetings up one week, and that is reflected on the schedule.

Not on the annual meeting calendar but of note--Feb 7 retreat is the board retreat, to be held at Austin's office.

Board Member Christina Amato brought up the need to create an RFQ for banking services. This needs to be done every two years to make sure that the IDA is getting the best interest rates available for monies.

9. **Executive Session**

On a motion made by Nancy Thomas and seconded by Marlon Ramos, the board voted to go into executive session to discuss property disposition. The chair invited Erik Cooney, Chris Cooney, Dominic Cordisco, and James McIver into the executive session.

On a motion made by Christina Amato and seconded by Nancy Thomas, the board voted to leave executive session.

On a motion made by Cristina Amato and seconded by Marlon Ramos, the board decided to end the due diligence period regarding Scobie Drive RFP. The board also directed legal counsel to draft a contract of sale for the Scobie Drive parcels based on criteria discussed in executive session. Legal counsel is to negotiate a contract of sale and present to the board at the February meeting, with a draft circulating prior to February.

A board roll call was conducted for this motion, with a result of five ayes and two absentees, with the vote carrying unanimously.

10. **Adjournment:**

A motion to adjourn the meeting was made by Christina Amato, seconded by Nancy Thomas, and unanimously passed.